

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

LAURIE TARDIFF, individually and on
behalf of others similarly situated,

Plaintiffs

v.

Civil No. 02-251-P-C

KNOX COUNTY, DANIEL DAVEY, in his
individual capacity and in his official capacity
as Knox County Sheriff,

Defendants

Gene Carter, Senior District Judge

**THE COURT’S PROPOSED PERMANENT INJUNCTION
PURSUANT TO SETTLEMENT AGREEMENT**

The Court has now approved the Settlement Agreement (Docket Item No. 339-1) proposed by the parties herein Order Approving Settlement Agreement (Docket Item No. ____). The Agreement, as approved, provides that:

“Knox County agrees that it will adhere to the permanent Injunctive Order issued by the Court, and to subsequent modifications to that Order.”

Settlement Agreement (Docket Item No. 339-1), ¶ II.B.2, at 4. *Id.* at 3.

The Agreement also provides:

“The Court will retain jurisdiction over the settlement and may enter orders as appropriate to enforce it, to adjudicate the rights and responsibilities of the parties, and to effect fair and orderly administration.”

Id. ¶ III. 1, at 6.

Now, therefore, in the exercise of the enforcement authority conferred on the Court by Paragraph III.1 of the Settlement Agreement and by the All Writs Act, 28 U.S.C. § 1651, it is hereby **ORDERED** that any individual in the custody of the Defendants, or their Correction Officers, and held on either misdemeanor charges or on felony charges that do not involve weapons, violence or contraband substances shall be strip searched only if the Corrections Officers have reasonable suspicion that the individual does possess a weapon, a controlled substance, or other contraband. *See, Wood v. Hancock Counties*, 354 F.3d 357 (1st Cir. 2003)(defining “strip search”).

IT IS FURTHER ORDERED that Defendants and Sheriff Davies’ successors in office shall require to be kept at the Knox County Jail a log that shall record every instance in which an individual is found to be subject, for booking purposes at the Knox County Jail, a strip search procedure, the following information:

- (1) The date and time of the search procedure,
- (2) The identity of each officer participating in the search procedure,
- (3) A brief statement of facts found to constitute “reasonable suspicion” for a strip search, and
- (4) The identity of the officer making the determination that “reasonable suspicion” warranted a strip search and authorizing such search.

Such log shall be available for public inspection at reasonable times during the business day.

/s/Gene Carter
GENE CARTER
Senior United States District Judge

Dated at Portland, Maine this 11th day of October, 2006.